

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for indicating that claims 12 and 18 are allowable, and claims 6-10 contain allowable subject matter.

Disposition of Claims

Claims 1-18 were pending in this application. By way of this reply, claim 4 has been canceled without prejudice or disclaimer. Thus, claim 1-3 and 5-18 are pending in this application. Of these, claims 1, 12, 13, and 18 are independent. The remaining claims are, directly or indirectly, dependent on claim 1 or 13.

Claim Amendments

By way of this reply, claim 1 has been amended to incorporate all of the limitations of claim 4. Accordingly, claim 4 has been canceled without prejudice or disclaimer. No new matter has been added in these amendments. Claim 13 has been amended to include substantially similar limitations to that of claim 4. No new matter has been amended in these amendments.

Drawings

Figures 1 and 3 are required to be designated by a legend such as "Prior Art" because only that which is old is illustrated. By way of this reply, the drawings have been appropriately amended to designate Figures 1 and 3 with "Prior Art" labels.

Further, the drawings are objected to because in Figure 12, element S308, "INOUT" should be corrected to "INPUT." By way of this reply, the drawings have been appropriately amended to correct the typographical error. Accordingly, the withdrawal of the rejection is respectfully requested.

Allowable Subject Matter

Claims 6-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As discussed below, the base claim 1, as amended, is believed to be allowable. Thus, rewriting claims 6-10 into independent form is deferred at this time.

Rejections under 35 U.S.C. § 103

Claims 1, 3-5, 11, 13, 15, and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of "The Jitter Tolerance of Fiber Optic Regenerators; December 1987; IEEE Transactions on Communications; Page 1303-1308" ("Trischitta"). In addition, claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in

view of Trischitta and further in view of U.S. Patent Application Publication No. 2003/0202573 ("Yamaguchi"). These rejections are respectfully traversed for the reasons set forth below.

By way of this reply, claim 4 has been canceled without prejudice or disclaimer. Thus, with respect to claim 4, the rejection is now moot. Independent claim 1 has been amended to incorporate all of the limitations of claim 4. Further, independent claim 13 has been amended to clarify the claimed invention. Thus, to the extent that this rejection now applies to claims 1 and 13, as amended, the rejection is respectfully traversed for the reasons set forth below.

Independent claim 1, as amended, includes, in part, "a jitter amount controller operable to control magnitude of said deterministic jitter generated by said deterministic jitter application unit" and "wherein said jitter amount controller determines said magnitude of said deterministic jitter based on a threshold value of a peak-to-peak value of alignment jitter between said input signal and a recovered clock signal recovered by said electronic device from said input signal." Independent claim 13, as amended, similarly includes, in part, "controlling magnitude of said deterministic jitter applied in the application of said deterministic jitter" and "wherein the magnitude of the deterministic jitter is determined based on a threshold value of a peak-to-peak value of alignment jitter between said input signal and a recovered clock signal recovered by said electronic device from said input signal."

Thus, independent claims 1 and 13, as amended, require "controlling a magnitude of a deterministic jitter that is determined based on a threshold value of a peak-to-peak value of *alignment jitter between an input signal and a recovered clock signal recovered by an electronic device from the input signal.*"

In contrast, neither AAPA, nor Trischitta, impliedly or expressly teach or suggest at least this limitation of the claimed invention.

As the Examiner acknowledges, in the Office Action, in the paragraph starting at line 8 on page 6, AAPA does not disclose "magnitude of jitter is based on peak-to-peak value of alignment jitter." However, the Examiner asserts, in the Office Action, in the paragraph starting at line 10 on page 6, that Trischitta discloses "jitter amount controller determining a magnitude of a sinusoidal jitter based on a threshold value of a peak-to-peak value of *alignment jitter between an input signal and a recovered clock signal recovered by an electronic device from the input signal...*" Applicant respectfully disagrees.

As discussed in the previous response, Trischitta discloses an analysis result of an accumulated jitter in a long chain of fiber optic regenerator. However, the alignment jitter used in the analysis of Trischitta is an accumulated alignment jitter as a *difference between an output jitter of an Nth regenerator and input jitter of the Nth regenerator (see, the equation (9) of Trischitta)*, which is substantially different from "the alignment jitter *between an input signal and a recovered clock signal recovered by an electronic device from the input signal,*" as recited in the claimed invention.

Further, Trischitta merely discloses an analytical model of a system performance of a manufactured fiber optic regenerator and, thus, does not teach or suggest any process for controlling a magnitude of a deterministic jitter for a specific purpose, as required by the claimed invention.

Accordingly, Trischitta does not teach or suggest, either impliedly or expressly, any component or process for controlling a magnitude of a deterministic jitter that is determined based on a threshold value of a peak-to-peak value of alignment jitter between an input signal and a recovered clock signal recovered by an electronic device from the input signal, as required by the claimed invention.


In view of above, AAPA and Trischitta, whether considered separately or in combination, fail to show or suggest the invention as recited in independent claims 1 and 13. By virtue of their dependence, claims 3, 5, 11, and 15-17 are also allowable for at least the same reasons set forth above. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 02008/136002).

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Respectfully submitted,

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